

EXHIBIT I (7 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	J & J Reference: DEP 537CON
)	
Maroney et al.)	MMB Docket No. 1671-0273
)	
Application No. 10/643,067)	Examiner: To be assigned
)	
Filed: August 18, 2003)	
)	Group Art Unit: 3738
Title: Method and Apparatus for)	
Performing a Shoulder)	
Replacement Procedure in the)	
Treatment of a Cuff Tear Arthropathy))	

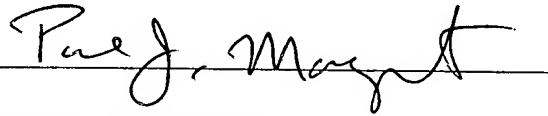
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(Date of deposit)

Typed or printed name of person signing this certificate

Paul J. Maginot

Signature



INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, Applicants hereby disclose the following references regarding the above-identified patent application. Copies of the disclosed references are not enclosed pursuant to 37 C.F.R. § 1.98 (d). These references were previously submitted to or cited by the U.S. Patent and Trademark Office in corresponding application Serial No. 09/767,473 filed January 23, 2001 (now U.S. Patent No. 6,620,197).

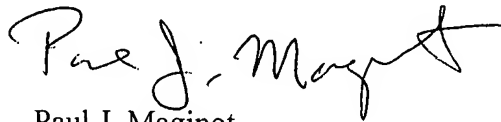
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<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
3,694,820	Scales et al.	10/03/1972
3,979,778	Stroot	09/14/1976
4,042,980	Swanson et al.	08/23/1977
4,279,041	Buchholz	07/21/1981
4,355,427	Schneider	10/26/1982
4,550,450	Kinnett	11/05/1985
4,662,888	Field	05/05/1987
4,865,605	Dines et al.	09/12/1989
5,080,673	Burkhead et al.	01/14/1992
5,282,865	Dong	02/01/1994
5,330,531	Capanna	07/19/1994
5,458,653	Davidson	10/17/1995
5,489,310	Mikhail	02/06/1996
5,549,682	Roy	08/27/1996
5,658,340	Müller et al.	08/19/1997
5,944,757	Grammont	08/31/1999
5,944,758	Mansat et al.	08/31/1999
6,045,582	Prybyla	04/04/2000

<u>Foreign Patent No.</u>	<u>Issue Date</u>	<u>Country</u>
DE 2041929	03/11/1971	Germany
DE 2400650	07/18/1974	Germany
DE 3023354	04/09/1981	Germany
FR 2567019	10/01/1986	France
GB 2 297 257 A	07/31/1996	United Kingdom
EP 0845250A2	11/28/1997	Europe

It is believed that no fees are due for the consideration of this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee deficiency or to credit any overpayment to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully Submitted,
Maginot, Moore & Beck

A handwritten signature in cursive script, appearing to read "Paul J. Maginot".

Paul J. Maginot
Attorney for Applicants
Registration No. 34,984

April 5, 2004
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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 1671-0273	APPLICATION NO. 10/643,067
	APPLICANT(S): Maroney et al.	
	FILING DATE: August 18, 2003	GROUP: 3738

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA	3,694,820	10/03/1972	Scales et al.			
	AB	3,979,778	09/14/1976	Stroot			
	AC	4,042,980	08/23/1977	Swanson et al.			
	AD	4,279,041	07/21/1981	Buchholz			
	AE	4,355,427	10/26/1982	Schneider			
	AF	4,550,450	11/05/1985	Kinnett			
	AG	4,662,888	05/05/1987	Field			
	AH	4,865,605	09/12/1989	Dines et al.			
	AI	5,080,673	01/14/1992	Burkhead et al.			
	AJ	5,282,865	02/01/1994	Dong			
	AK	5,330,531	07/19/1994	Capanna			
FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL	DE 2041929	03/11/1971	Germany			Yes No
	AM	DE 2400650	07/18/1974	Germany			Yes No
	AN	DE 3023354	04/09/1981	Germany			Yes No
	AO	FR 2567019	10/01/1986	France			Yes No
	AP	GB 2 297 257 A	07/31/1996	United Kingdom			Yes No
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AQ	1					
	AR	1					
	AS	1					
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 1671-0273	APPLICATION NO. 10/643,067
	APPLICANT(S): Maroney et al.	
	FILING DATE: August 18, 2003	GROUP: 3738

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
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	BB	5,489,310	02/06/1996	Mikhail			
	BC	5,549,682	08/27/1996	Roy			
	BD	5,658,340	08/19/1997	Müller et al.			
	BE	5,944,757	08/31/1999	Grammont			
	BF	5,944,758	08/31/1999	Mansat et al.			
	BG	6,045,582	04/04/2000	Prybyla			
	BH						
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	BJ						
	BK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	BL	EP 0845250 A2	11/28/1997	Europe			Yes No
	BM						Yes No
	BN						Yes No
	BO						Yes No
	BP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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	BR	<u>2</u>	
	BS	<u>2</u>	

EXAMINER	DATE CONSIDERED
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April 5, 2004

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Information Disclosure Statement for Patent Application for: **Method and Apparatus for Performing a Shoulder Replacement Procedure in the Treatment of a Cuff Tear Arthropathy**

Includes:

- (x) Information Disclosure Statement
- (x) PTO Form 1449

Applicant(s): Maroney et al.

Serial No. 10/643,067

Filing Date: August 18, 2003

MMB Docket No. 1671-0273

J & J Reference No. DEP 537CON

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EXHIBIT II (7 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	
)	
Maroney et al.)	Attorney Docket No. 1671-0115
)	DEP-537
)	
Application No. 09/767,473)	Examiner: P. Philogene
)	
Filed: January 23, 2001)	
)	Group Art Unit: 3738
Title: Method and Apparatus for Performing)	
a Shoulder Replacement Procedure)	
in the Treatment of Cuff Tear)	
Arthropathy)	

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(Date of Deposit)

Paul J. Maginot

Name of person mailing Document or Fee

Paul J. Maginot

Signature of person mailing Document or Fee

July 16, 2002

Date of Signature

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR § 1.97(c)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR §§ 1.56 and 1.97(c), Applicants hereby disclose the following references, copies of which are enclosed, regarding the above-identified patent application.

DOCKETED
2 07/17/02

<u>U.S. Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
3,979,778	Stroot	09/14/1976
5,282,865	Dong	02/01/1994
5,458,653	Davidson	10/17/1995
5,549,682	Roy	08/27/1996

<u>Foreign Patent No.</u>	<u>Country</u>	<u>Issue Date</u>
DE 2041929	Germany	03/11/1971
DE 2400650	Germany	07/18/1974
DE 3023354	Germany	04/09/1981
FR 2567019	France	10/01/1986
GB 2 297 257 A	United Kingdom	07/31/1996
EP 0845250A2	Europe	11/28/1997

A check in the amount of \$180.00 is enclosed as required under 37 CFR § 1.17(p) for the consideration of this Supplemental Information Disclosure Statement.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following concise explanation of the relevance of the non-English language document cited on the accompanying form PTO-1449:

DE 2041929 discloses a hip prosthesis and associated acetabular cup.

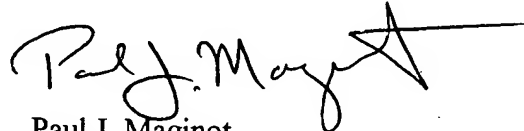
DE 2400650 discloses a prosthesis configured for implantation into the body of a patient that includes a stem and a head.

DE 3023354 also discloses a prosthesis configured for implantation into the body of a patient that includes a stem and a head.

FR 2567019 discloses a humeral prosthesis and associated glenoid prosthesis that articulate in relation to each other.

The Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 13-0014, but not to include any payment of issue fees.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Maginot", with a long horizontal stroke extending to the right.

Paul J. Maginot
Attorney for Applicants
Registration No. 34,984

July 16, 2002

Maginot, Moore & Bowman, LLP
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(317) 638-2139 facsimile

FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 1671-0115/DEP-537	APPLICATION NO. 09/767,473
	APPLICANT(S): Maroney et al.	
	FILING DATE: January 23, 2001	GROUP: 3738

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA	3,979,778	09/14/1976	Stroot			
	AB	5,282,865	02/01/1994	Dong			
	AC	5,458,653	10/17/1995	Davidson			
	AD	5,549,682	08/27/1996	Roy			
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	AK						

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL	DE 2041929	03/11/1971	Germany			Yes No
	AM	DE 2400650	07/18/1974	Germany			Yes No
	AN	DE 3023354	4/10/1979	German			Yes No
	AO	FR 2567019	10/01/1986	France			Yes No
	AP	GB 2 297 257 A	07/31/1996	United Kingdom			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
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EXAMINER	DATE CONSIDERED
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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 1671-0115/DEP-537	APPLICATION NO. 09/767,473
	APPLICANT(S): Maroney et al.	
	FILING DATE: January 23, 2001	GROUP: 3738

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	BJ						
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FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL	EP 0 845 250 A2	11/28/1997	Europe			Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
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MAGINOT, MOORE & BOWMAN LLP

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VENDOR ID: C OF P & T
PAYEE: Commissioner

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MEMO: 1671-0115

DATE: 07/16/02

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MAGINOT, MOORE & BOWMAN LLP

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BANK ONE, INDIANA, NA
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Supplemental Information Disclosure Statement for Patent
Application for: Method and Apparatus for Performing a
Shoulder Replacement Procedure in the Treatment of Cuff Tear
Arthropathy

Serial No. 09/767,473

Applicant: Maroney et al.

Filed: January 23, 2001

Our Docket No. 1671-0115/DEP-537

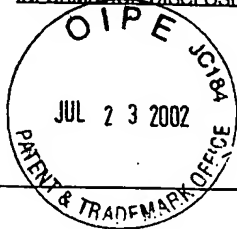
Includes:

- (x) Supplemental Information Disclosure Statement
(2 pages)
- (x) PTO Form 1449 (2 page)
- (x) Ten (10) Patent References
- (x) Check in the amount of \$180.00

EXHIBIT IV (3 pages)

Page 1 of 2

FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT



ATTY. DOCKET NO.
1671-0115/DEP-537

APPLICATION NO. 09/767,473

APPLICANT(S): Maroney et al.

FILING DATE: January 23, 2001

GROUP: 3738

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
<i>FDH</i>	AA	3,979,778	09/14/1976	Stroot	1	1	
	AB	5,282,865	02/01/1994	Dong	1	1	
	AC	5,458,653	10/17/1995	Davidson	1	1	
	AD	5,549,682	08/27/1996	Roy	1	1	
	AE						
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	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
<i>FDH</i>	AL	DE 2041929	03/11/1971	Germany	1	1	Yes No
	AM	DE 2400650	07/18/1974	Germany	1	1	Yes No
	AN	DE 3023354	4/10/1979	German	1	1	Yes No
	AO	FR 2567019	10/01/1986	France	1	1	Yes No
	AP	GB 2 297 257 A	07/31/1996	United Kingdom	1	1	Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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	AR	1	
	AS	1	

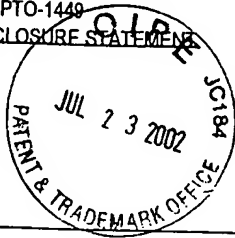
EXAMINER

Phil B. ...

DATE CONSIDERED

9/5/02

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FORM PTO-1449
INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
1671-0115/DEP-537

APPLICATION NO. 09/767,473

APPLICANT(S): Maroney et al.

FILING DATE: January 23, 2001

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	BA						
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	BG						
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	BI						
	BJ						
	BK						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
<i>DPH</i>	AL	EP 0 845 250 A2	11/28/1997	Europe			Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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	AR	2	
	AS	2	

EXAMINER

DPH

DATE CONSIDERED

8/1/02

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45

Notice of References Cited	Application/Control No. 09/767,473	Applicant(s)/Patent Under Reexamination MARONEY ET AL.	
	Examiner Pedro Philogene	Art Unit 3732	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A US-			
	B US-			
	C US-			
	D US-			
	E US-			
	F US-			
	G US-			
	H US-			
	I US-			
	J US-			
	K US-			
	L US-			
	M US-			

FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
*	N EP 0485250 A2	11-1997	Europe	Trail	623
	O				
	P				
	Q				
	R				
	S				
	T				

NON-PATENT DOCUMENTS

*	U V W X	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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Serial No. 09/767,473

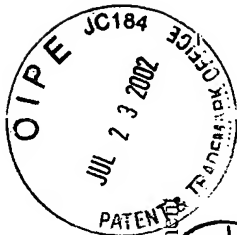
Applicant: Maroney et al.

Filed: January 23, 2001

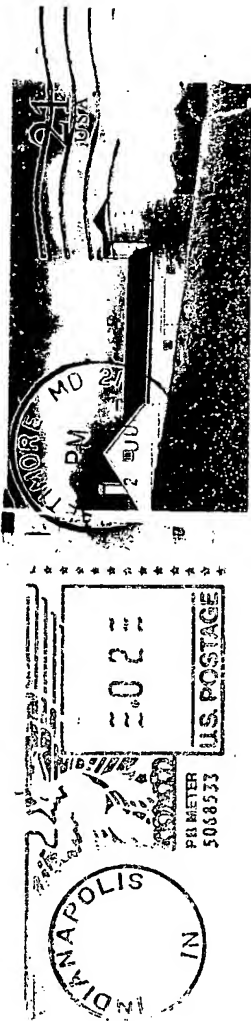
Our Docket No. 1671-0115/DEP-537

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- (X) Supplemental Information Disclosure Statement
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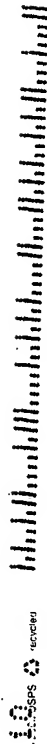


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